P16

G. R. S. 58]

Previous references.
Pol 29-10-2
- 43-11-2
- 112-12-2
- 116-13-2
- 73-14-2
~~Later references.~~
- 29-09-2
- 136-04-4
Pol
Later reference
Pol 76-16 E 1-23
" 107-19 (1-2)

1915. 16
(Police)

File No. 100-15
Serial Nos. 1-4

GENERAL AND REVENUE SECRETARIAT.

~~Copy to the Treasurer~~ & Estates

B 15/2/29

Serial Nos. 1-4

Part B for Feb 16.

SUBJECT.

Continuance of the police powers conferred on Mr A. R. Jones Ch. Supervisor, Watch Estt. Hq. 7.

4) To the Sq. of Pol. } J 3106-7
" D.C. Kolar } of 8 2/16

Sanction for a further period of one year from 1.12.15

W D 1351—GPB—20,000—13-12-15

G. R. S. 11] 1915-16

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 100-15

FILE HEADING.

Continuance of the police powers conferred on Mr. A. R. Jones, Chief Supervisor, Wakfs Establishment, K. G. F.

From

The I G. of Police in Mysore.

No. 2586-258 Dated 13/16. 11.15 Received 19.11.15

Diary No. J/3445	Enclos. --	Spare Copies. --	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requests that the police powers of Mr. A. R. Jones may be continued for another year from 1.12.15.

NOTES AND ORDERS.

List III

1) Subd. for orders with a draft.

FF. 19.11.15. RK

2) May be approved

Dist. Members 3) Under what powers

EB 9/11

NOTES—First Sheet.

GPB—30,000—3-2-11

General and Revenue Secretariat. | Police File No. 100 of 1915-16

Serial No.

of law as thus valid. (See Pol. Regn or Cr. P. Code)

22/11/15

4) Pl. put up along with previous file. 24/11

Pol 25/11

5) Subd. All the files relating to investiture of Mr. A. R. Jones with these powers have been obtained & put up. It will be seen from Police 28-09 that the powers are conferred on Mr. Jones under the provisions of Sections 9 & 10 of the Imperial Police Regulation.

Hd. L, Sth, S, P, Cd A
Pol 29-10-2
43-11-2
112-12-2
116-13-2
72-14-2
71 L

71 I

BK. 25.11.15 Ill

6) Please put up Police file 136 of 04 containing G.O. No. 2633/4 of 14.3.1905.

Pl 25/11

ES 25/11/15

B

7)

Pol file 136-04 put up.

27.11.15 Ill

8) Under S. 9 of the Police Regulation, Police Officers below the rank of Sub-Inspectors may be appointed by the Dept. Com., provided the appointments made are subject to the rules prescribed by Govt. under S 10, the Police Officers appointed under S 9 shall receive a certificate of appointment in the

NOTE—Contn. sheet.

GPB—20,000—30-6-15

1345

3

(3)

G. R. S. 12]

General and Revenue Secretariat.

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form given in the schedule. There is no objection in principle to appointment of Jones as a Police officer under this Section. Such appointments are generally made in British India, and the powers conferred on the Staff of the Societies for Prevention of Cruelty to Animals are generally conferred under the authority vested in the Police Act for this purpose. (Vide Calcutta Weekly Notes p 729 for a case in point). S. 7 & 8 of the Police Act-1861 are exactly the same like S 9 & 10 of our Police Regulation.

13
Pol 136-14—3

9) The Residency letter of 9.3.1905 shows that appointments of the kind under question are unobjectionable.

10) The draft may be approved.

Es
29-4

First Member)

11) Under S. 5, the entire Police Establishment under Govt shall be enrolled in such manner as shall from time to time be ordered by Govt. All the succeeding Sections about appts & powers shd be referred to

NOTE—Contn. sheet.

GPB—20,000—30-6-15

1345

(4

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 100 of 1915-16

Serial No.

this general provn. I see no Section at all under which such an appln as the one intended can be made.

12) What is the authority for saying that such applns are made in Br India? Are the provns the same?

13. I want a further note. If nothing decisive in favour can be found, the Ly. & the Govt Advs may also be consulted.

23/12/15

Pol 23/12

23/12/15 19. 13) Put up the Indian Police Act

13) Subd. The Madras City Police Act III of 1888 and the Indian Police Act V of 1861 are put up herewith. Section 17 and of the Madras city Police Act only empowers the commissioner to appoint special any able

NOTE—Contn. sheet.

GPB—20,000—30-6-15

Serial No.

bodied male person as a special Police constable for any temporary emergency. See: 17 of the Indian Police Act, 1861, only empowe a Magistrate to appoint Special Police Officers whenever there has been a serious breach of peace or such a breach of peace is apprehended. But there is no provision in any of these acts to appoint a Special Police Officer like an Inspector for any particular area. He can only be appointed as a regular police officer ~~in going~~ under the ordinary rules under sec: 8 and 9. of the Regn.

CK
31/12/15

J. H.O. 30-15
Q.S. 1-15

16) Forwarded unofficially to the Government Advocate for favour of opinion.

B-O
Examiner
9.1.16. for Secy to Govt

U.O. 207 16-1-16

17) The Police Regulation seems to contemplate two kinds of Police viz The Village Police & the Regular Police. Chap II of the Regulation

NOTE—Contn. sheet.

Serial No.

relates to the organisation of the Regular Police & the Constitution of it is described in Sec 5 thereof. Provision is also made for the appointment of Special Police officers and of additional Police in §§ 18, 19 & 21 under the circumstances mentioned in those Sections, but nevertheless, though their employment be short of duration and limited to particular places, they will be a part of the Regular Police organised under Chap II.

18) The office of the Superintendent of the Watch Dept in the Kolar Gold Fields. may therefore until further orders be regarded as included in the Police force Constituted under § 5 of the Mysore Police Regulation the Scale & Conditions of which can be regulated by the orders of Govt issued from time to time. If the said officer is included in the Police force the D. Com. Can under § 9(2) appoint the person

NOTE—Contn. sheet.

GPB—70,000—17-12-15

holding that office as a Jamedar with the powers of a Station House officer and a certificate of Enrolment can be issued under § 10 (2) of the Regulation.

19) In British India similar appointments can likewise I presume be made under §§ 2, 7 & 8 of the Indian Police Act. Where an officer of the Society for the prevention of Cruelty to Animals was appointed a Police officer and given a certificate purporting to limit his powers to the detection & prosecution of Cases of Cruelty to animals it was held by the Calcutta High Court that the appointment was validly made under § 7 of Act V of 1861. (See 10 C.W.N 727).

20) I am therefore of opinion that Govt have the power to make appointments of the kind now in question.

12.1.16.

Govt Advs

Legis 13/1

NOTE—Contn. sheet

13645

(8

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 100 of 1915-16

Serial No.

21) Subd.

B.S. 13-1-16. RR

22) Draft. D.S. may submit

put up

Pol 13/1

28/1

22) Subd. with a draft.

B.S. 15-1-16. RR

24) Issue

28/1

Sub A

27/1

2 To The S.P. of Police

No. J 2769. 18-1-1916

Requests him to intimate the authority under which the appointments can be made and to furnish information as to whether such appointments are being made in B. India

3 From Tirur S.P. O.J., No. 474 of 25.1.16

Invites reference to S.P.'s no J 2633-4 RR 86 & 8.743 I. 05 regarding, for the 18th time, the Punishment of police persons and states that no provision has been obtained from, nor to any rule that sections 8-9 of the Police Disciplinary powers for suspension of, arrest of police officers; and that he has been unable to find fresh in

NOTE.—Contn. sheet.

GPB—70,000—17-12-15

2084

(9

G. R. S. 12]

General and Revenue Secretariat. | Ss. -2 File No. 50 of 191-16.

Serial No.

for any such sum "B p-v.

Lic-T

25) Sealed. for orders.

BS. 29.1.16

29/1/16

26) The Govt Advocate is of opinion that Govt have the power to make the appointment in question; but the Govt depends on precedent but does not offer any opinion as regards the legality or otherwise of the appointment.

BS 29.1

Asst Member)

27) As the opinions are Conflicting, the practice may Continue, though I do not initiate it, if for the first time.

30/1/16

Hon'ble

B TM/2

4 To the D.S. of Police 28) Issues

The D.C. Galle &c. BS 30/1

No. J 3106-7 8-2-16

Authorises the D.C. to continue the Police Powers conferred on Mr. Jones for one year more.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

OFFICE OF THE INSPECTOR-GENERAL OF POLICE IN MYSORE,

No. 2586/258 *Dated Bangalore,* 13th/16 November 1915

FROM

Diwan Bahadur C. Srikantesvara Aiyar, B.A., B.L.,

Inspector-General of Police in Mysore.

DIARY No. 1345

19/5-10/16

SECTION Police

FILE No. 100-15

SERIAL No. 1

To

D. M. Narasinga Rao Esquire, B.A.,

Secretary to the Government of H. H. the Maharaja of Mysore,
General ~~and Revenue~~ Departments.

Sir,

With reference to Government Proceedings No.J.1562-3/Pol.73-14-2 dated 28th November 1914, empowering the Deputy Commissioner, Kolar District to authorise Mr. A. R. Jones, Chief Supervisor of the Watch Establishment to continue to exercise the powers of an officer in charge of a Police Station for another year, I have the honor to state that the Deputy Commissioner, recommends that the powers already conferred on Mr. Jones may be renewed for a further period of one year from 1st December 1915.

2. I request that you may be so good as to move Government to authorise the Deputy Commissioner, Kolar to continue the said powers as recommended.

I have the honor to be,

sir,

Your most obedient servant,

Inspector General of Police.

191 —19

FROM

The Inspector-General of
Police in Mysore.

To

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Gen. & Rev. Depts.

Dated
Despatched } 16.11.15
Received

General No. 2586/258
No.

Enclosure No.

GPB—300—7-12-11

1571

(11)

G.R.S. 26]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section *Police*

File No. *100-13*

Serial No. *2*

General and Revenue Secretariat

(.)

, the *191* .

No. *J 2769*

Date of issue *18-1-1916*

To

The I.G. of Police in Mysore

Signed by *Rt. Hr. C. Sreenivasa Iyer*

Sir,

With reference to your letter no. 2586-258 dated the 13th November 1915 regarding the appointment of Mr. A.R. Jones, Chief Supervisor of the Watch Establishment, K.G.F. as an officer in charge of a police station, I am directed to request you to be so good as to intimate the authority

over.

(2)

under which such appointments can be made. Information as to whether such appointments are being made in British India may also be furnished.

I have &c.

For Secretary to Govt.

B.T. NLL
15.1.16.

List of enclosures.

Copied by

Examined by

GPB—20,000—11-2-14

No. 3872. OFFICE OF THE INSPECTOR GENERAL OF POLICE IN MYSORE.

Encl. 474

Dated Bangalore, 25th January 1916.

From

Diwan Bahadur C. SRIKANTESVARA AIYAR, B.A., B.L.,

Inspector General of Police in Mysore.

To

D. M. Narasinga Rao, Esqr., B.A. B.L.,
Secretary to the Govt. of H. H. the Maharaja
of Mysore, General Department.

Sir,

With reference to your letter No.J.2769/Pol.100-15-2 dated the 18th instant, regarding the appointment of Mr. A. R. Jones, Chief Supervisor of Watchmen, Kolar Gold Fields, as an officer in charge of a Police Station, I have the honour to invite reference of Government to Govt. Pro. No.J.2633-4/Pol.136-4 dated the 24th March 1905, wherein the District Magistrate of Kolar was authorised to invest Mr. S. M. Pritchard, the then Chief Supervisor of the Watch Establishment, with the powers of an officer in charge of a Police Station, in subordination to the Deputy Commissioner and the District Superintendent of Police which practice is being continued from year to year in the case of Mr. Jones, the successor of Mr. Pritchard, and which is what is now asked for.

2. Sections 8 and 9 of the Mysore Police Regulation provides for appointments of subordinate police officers, but subject to the provisions thereof.

3. I have searched for references regarding such appointments in British India, but find their Regulations are the same

(4)

as ours, and am not able to find any such unpaid posts.

I have the honour to be,

Sir,

Your most obedient servant,

Inspector General.

14 2 3/1

ab (15

Police b.o. no. 6 Jan. 16

G.R.S. 28]

Police
File No. 100-15
Serial No. 24

*Diary No. of letter replied to*_____

GENERAL AND REVENUE SECRETARIAT.
( )

Proceedings of the Government of His Highness the Maharaja of Mysore

, *the* 191 7/A.

READ—

G.P. no. J1562-3-Police 73-14-2 dated the 28th November 1914, authorising the Dy. Comr., Kolar Dt., to continue the powers conferred on

Date of issue 8th February, 1916

Signed by M.T.G Srinivasa Ayr

ORDER THEREON.—No.

Mr. A.R. Jones, Chief Supervisor of the Watch Establishment, K.G.F., of an officer in charge of a police station for a period of one year from 1.12.1914.

over.

SUBJECT.

GPB—50,000—1-12-12

G.O. 2/2

(6)

2. Letter no. 2586-258 dated

the 13th/16th November 1915 from the I.G.

of Police in Mysore regarding that

the powers exercised by Mr. Jones

may be continued for a further

period of one year from 1.12.15.

Order thereon - No. 23105-7

Govt. are pleased to authorise

the Dy. Comr., Kolar Dt., to continue

the police powers conferred on Mr. Jones

for a further period of one year from

1.12.15

By order

for Secretary to Govt.

Sl. Dept.

To The I.G. of Police in Mysore.

The Dy. Comr. Kolar Dt.

RR

9/11